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09/738,247	12/15/2000	Krishna Kishore Yellepeddy	AUS920000947US1	2751

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EXAMINER

COLIN, CARL G

ART UNIT	PAPER NUMBER
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2436

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10/31/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/738,247	Applicant(s) YELLEPEDDY ET AL.	
	Examiner CARL COLIN	Art Unit 2436	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 January 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the Appeal Brief filed on 8/15/2008, PROSECUTION IS HEREBY REOPENED. A set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Nasser G Moazzami/

Supervisory Patent Examiner, Art Unit 2436.

Response to Arguments

2. In response to the after final amendment filed on 1/8/2007 applicant has amended claims 2 and 25 to correct minor informalities and has amended the specification and the drawings. The amendment to the specification, drawings and the claims has been entered. In response to the

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appeal brief filed on 1/28/2008 and supplemental appeal brief filed on 8/15/2008, the following claims 1-50 are pending and are presented for examination.

2.1 Applicant's remarks in the appeal brief regarding the prior art Schell are not persuasive. Since a new ground of rejection is made, Examiner reserves the right to respond to these arguments when it feels necessary. Applicant's remarks, page 10, filed on 1/8/2007, regarding the final rejection being improper because minor changes have been done to the claims are not persuasive. Applicant has changed the scope of the invention in view of the amended claims, replacing the reception software to the request implementation software and a new ground of rejection has been made. However, since the scope of independent claims 24, 35, and 44 has not been changed, the finality has been withdrawn and a new ground of rejection is now made.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1- 12 and 35-50 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 1 recites an apparatus comprising a request implementation software and at least one reception bean which may also be interpreted as software. Claims 35 and 44 recite an apparatus comprising a plurality of beans which may be interpreted as software. Therefore, because none of the elements or features of the claimed apparatus are necessarily implemented in hardware, the claims appear to be directed to an

arrangement of software per se. The claims are not directed to a process, a machine, manufacture, nor composition of matter within the meaning of 101 and therefore they are directed to non-statutory subject matter.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 40 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4.1 Claim 40 recites the limitation "the other beans" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the

international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 35-50 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,502,213 to **Bowman-Amuah**.

As per claim 35, Bowman-Amuah discloses an apparatus for implementing a public key infrastructure in a distributed processing system, the apparatus comprising: the invention is implemented in object request broker services based on COM/DCOM and CORBA and javabeans (see column 104) that meets the recitation of plurality of beans. The components are coupled to each other and able to provide responses to events generated by the plurality of beans (see column 76, lines 1-45) that meets the recitation of a plurality of beans, the beans communicatively coupled to one another and responsive to events generated by the plurality of beans. **Bowman-Amuah** discloses processing pipeline using a plurality of beans acting as filters wherein at least one of the plurality of beans comprising a pipe bean that propagates an event to another of the plurality of beans (see column 196, line 19 through column 198, line 50).

As per claim 36, Bowman-Amuah discloses an end of the request structure for providing an output from the request that meets the recitation of the at least one bean comprising a sink bean, the sink bean responsive to propagated events and consuming such propagated events, for example (see column 197, lines 59-65).

As per claim 37, Bowman-Amuah discloses the limitation of wherein the pipe bean passes the event to another bean unaltered, for example (see column 198, lines 35-39).

As per claim 38, Bowman-Amuah discloses the limitation of wherein the pipe bean passes the event to another bean in an altered format (see column 196, lines 19-35).

As per claim 39, Bowman-Amuah discloses the limitation of further comprising a server bean, the server bean responsive to requests from the distributed processing system and generating events (see figures 17-19, 40, 77, 105, and 150-151 with detailed description).

As per claim 40, Bowman-Amuah discloses the limitation of further comprising a client bean, the client bean responsive to events from the other beans and generating requests to the distributed processing system, for example (see figs. 119 and 122-123 with detailed description, disclosing for instance a client bean interacting with many of the components in the distributed processing system).

As per claim 41, Bowman-Amuah discloses public key cryptography generating and publishing public key to user associating with digital certificate that meets the limitation of further comprising a generation bean, the generation bean generating a digital certificate in response to an event, for example (see fig 15, with detailed description and column 80, lines 12-27).

As per claim 42, Bowman-Amuah discloses the limitation of the at least one bean comprising a bean that publishes information regarding the request, for example (see column 32, lines 30-40).

As per claim 43, Bowman-Amuah discloses the limitation of further comprising a filter bean, the filter bean filtering events based upon a predetermined criteria, for example (see column 81, lines 29-33, column 196, lines 19-50 and column 52, lines 35-67).

As per claim 44, Bowman-Amuah discloses an apparatus for implementing a public key infrastructure in a distributed processing system, the apparatus comprising: the invention is implemented in object request broker services based on COM/DCOM and CORBA and javabeans (see column 104) that meets the recitation of plurality of beans. The components are coupled to each other and able to provide responses to events generated by the plurality of beans (see column 76, lines 1-45) that meets the recitation of the beans communicatively coupled to one another and responsive to events generated by the plurality of beans. **Bowman-Amuah** discloses the respective events generated by the plurality of beans subclassing from a base class event, for example (see column 170, lines 1-44).

As per claims 45-46, Bowman-Amuah discloses the limitation of wherein the beans and events are written in a cross platform language, the cross platform language is JAVA, for example (see column 104).

As per claim 47, Bowman-Amuah discloses the limitation of wherein the at least one the beans is a publisher bean (see column 32, lines 30-40).

As per claim 48, Bowman-Amuah discloses the limitation of wherein the at least one the beans is generator bean (see fig 15, with detailed description and column 80, lines 12-27).

As per claims 49-50, Bowman-Amuah discloses wherein the at least one the beans is a client bean and at least one of the beans is a server bean (see figures 17-19, 40, 77, 105, and 150-151 with detailed description).

6. **Claims 1-34** are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Publication US 2001/0001877 to **French et al.**

As per claim 1, French et al discloses an apparatus for implementing a request regarding a digital certificate in a distributed processing system, the apparatus comprising: **French et al** discloses the invention may be implemented in Java which is an object-oriented language (see page 3, paragraph 62 and page 4, paragraph 71) which implicitly or inherently comprises plurality of JavaBeans. **French et al** discloses different components (beans) in the pre-processing stages for performing different stages of authentication (see page 9) provided response to the request regarding the digital certificate (see pages 1-2 paragraphs 19-20, page 4, paragraphs 66-69, page 9, paragraphs 153-155 and page 11, paragraphs 173-174 and figs. 37-41) in response to propagated object (i.e. query or result) (see paragraphs 118 and 149, see also

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paragraphs 66-67) that meets the recitation of *a request implementation software that implements a response to the request regarding the digital certificate in response to a propagated event object*;

French et al discloses *at least one reception bean, communicatively coupled to the request implementation software and the distributed processing system*, (see paragraphs 145-147) *that generates an event object in response to receiving the request to generate a digital certificate from the distributed processing system* (see paragraphs 159-162). See also (see pages 1-2 paragraphs 19-20, page 4, paragraphs 66-69, page 9, paragraphs 153-155 and page 11, paragraphs 173-174 and figs. 37-41).

French et al discloses a real-time interactive environment implemented in Java (see page 3, paragraph 62 and page 4, paragraphs 67 and 71) that meets the recitation of *the request implementation software instantiated in a real time executable object-oriented language*.

As per claim 13, French et al discloses a method for implementing a request regarding a digital certificate in a distributed processing system, the method comprising: **French et al** discloses the invention may be implemented in Java which is an object-oriented language (see page 3, paragraph 62 and page 4, paragraph 71) which implicitly or inherently comprises plurality of JavaBeans. **French et al** discloses *receiving the request to generate the digital certificate from the distributed processing system in at least one reception bean*, (see pages 1-2 paragraphs 19-20, page 4, paragraphs 66-69, page 9, paragraphs 153-155 and page 11, paragraphs 173-174 and figs. 37-41) (see paragraphs 159-162 also disclosing at least one reception bean).

French et al discloses generating response and propagating the response in response to the step of receiving (see paragraphs 118 and 154, see also paragraphs 66-67) that meets the recitation of *generating a reception event object in response to step of receiving propagating the reception event object* (see paragraphs 159-162).

French et al discloses **French et al** discloses different components (beans) in the pre-processing stages for performing different stages of authentication (see page 9) provided response to the request regarding the digital certificate (see pages 1-2 paragraphs 19-20, page 4, paragraphs 66-69, page 9, paragraphs 153-155 and page 11, paragraphs 173-174 and figs. 37-41) in response to propagated object (i.e. query or result) (see paragraphs 118 and 149, see also paragraphs 66-67) that meets the recitation of *selectively implementing a response to the request regarding the digital certificate in response to a propagated event object in a request implementation software*

French et al discloses a real-time interactive environment implemented in Java (see page 3, paragraph 62 and page 4, paragraphs 67 and 71) that meets the recitation of *the request implementation software instantiated in a real time executable object-oriented language*.

As per claim 24, claim 24 recites the same limitations as claim 13 except for implementing the claimed method into a computer program product. Therefore, claim 24 is rejected on the same rationale as the rejection of claim 13 above.

As per claim 2, French et al discloses at least one reception bean comprising a plurality of reception beans and each of the plurality of reception beans generating an event in response to requests of differing formats (see paragraphs 159-162).

As per claim 3, French et al discloses the invention may be implemented in Java which is an object-oriented language (see page 3, paragraph 62 and page 4, paragraph 71) which implicitly or inherently comprises plurality of JavaBeans that meets the recitation of the request implementation software comprising at least one bean.

As per claim 4, French et al discloses wherein the at least one bean comprising a pipe bean for example (see paragraph 66).

As per claim 5, French et al discloses the at least one bean comprising a bean implementing a test on the request (see paragraph 69).

As per claim 6, French et al discloses the at least one bean comprising a bean that alters the request (see paragraph 162).

As per claim 7, French et al discloses the at least one bean comprising a bean that publishes information regarding the request (see paragraphs 154 and 164).

As per claim 8, French et al discloses wherein the at least one bean comprising at least one sink bean and at least one pipe bean for example (see paragraph 66).

As per claim 9, French et al discloses wherein the at least one bean comprising a sink bean for example (see paragraph 66).

As per claim 10, French et al discloses wherein the at least one bean comprising a client bean that propagates a request in a first format (see paragraph 84).

As per claim 11, French et al discloses wherein the at least one bean comprising another client bean that propagates a request in a second format, for example (see paragraphs 112-116).

As per claim 12, French et al discloses limitation of the certificate generation software comprising a legacy software, for example (see paragraphs 124, 161-163).

As per claims 14-16 and 20-23, these claims recite similar limitations to claims 2-4 and 9-12 respectively except for implementing the claimed apparatus into a method. Therefore, claims 14-16 and 20-23 are rejected on the same rationale as the rejection of claims 2-4 and 9-12 above.

As per claim 17, French et al discloses the step of selectively implementing comprising testing a parameter of the request (see paragraph 69).

As per claim 18, French et al discloses the step of selectively implementing comprising testing a parameter of the request (see paragraph 162).

As per claim 19, French et al discloses the step of selectively implementing comprising publishing information regarding the request (see paragraphs 154 and 164).

As per claims 25-34, these claims recite similar limitations to claims 2-7 and 9-12 respectively except for implementing the claimed apparatus into a computer program product. Therefore, claims 25-34 are rejected on the same rationale as the rejection of claims 2-7 and 9-12 above.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARL COLIN whose telephone number is (571)272-3862. The examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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/Carl Colin/

Primary Examiner, Art Unit 2436

October 25, 2008